

**PART 231—ARRIVAL-DEPARTURE
MANIFESTS AND LISTS; SUP-
PORTING DOCUMENTS**

Sec.

231.1 Arrival manifest for passengers.

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231.3 Exemptions for private vessels and aircraft.

AUTHORITY: 8 U.S.C. 1101, 1103, 1182, 1221, 1223 and 1229.

§ 231.1 Arrival manifest for passengers.

(a) *Requirement for manifest.* The master, captain, or agent of every vessel or aircraft arriving in the United States from a foreign place or outlying possession of the United States shall present an arrival manifest to the immigration officer at the port of entry. The manifest must be in the form of a separate Arrival/Departure Record, Form I-94, prepared on board for each passenger except: United States citizens, lawful permanent resident aliens of the United States, and immigrants to the United States. In addition, a properly completed Aircraft/Vessel Report, Form I-92, must be submitted for each arriving aircraft or vessel which is transporting passengers. Manifests are not required by vessels or aircraft arriving directly from Canada on a trip originating in that country or arriving in the Virgin Islands of the United States directly from a trip originating in the British Virgin Islands.

(b) [Reserved]

(c) *Progressive Clearance.* Inspection of arriving passengers may be deferred at the request of the carrier to an onward port of debarkation. Authorization for this progressive clearance may be granted by the Regional Commissioner when both the initial port of entry and the onward port are within the same regional jurisdiction, but when the initial port of entry and onward port are located within different regions, requests for progressive clearance must be authorized by the Assistant Commissioner for Inspections. When progressive clearance is requested, the carrier shall present Form I-92 in duplicate at the initial port of entry. The original Form I-92 will be processed at the initial port of entry, and the duplicate noted and returned to the carrier

for presentation at the onward port of debarkation.

(d) *Preparation of Arrival/Departure Record, Form I-94.* Air and sea carriers shall be responsible to ensure that a properly completed Form I-94 is presented to the immigration inspector at the port of entry for each arriving passenger except those passengers who do not require a Form I-94 under paragraph (a) of this section. Citizens of Canada or the British Overseas Territory of Bermuda are not required to complete the departure portion of the Form I-94 if they are entering the United States for business or pleasure under section 101(a)(15)(B) of the Act, and intend to remain in the United States for less than 6 months.

[48 FR 21548, May 13, 1983, as amended at 48 FR 36093, Aug. 9, 1983; 48 FR 40209, Sept. 6, 1983; 68 FR 5193, Jan. 31, 2003; 68 FR 46929, Aug. 7, 2003]

§ 231.2 Departure manifest for passengers.

The master, captain, or agent of every vessel or aircraft departing from the United States for a foreign place or outlying possession of the United States shall present a departure manifest to the immigration officer at the port of departure. The manifest must be in the form of a properly completed departure portion of Form I-94, Arrival/Departure Record, for each person on board except for United States citizens, and lawful permanent resident aliens of the United States. No manifest is required for a vessel or aircraft departing on a trip directly for and terminating in Canada, or departing from the United States Virgin Islands directly to the British Virgin Islands on a trip terminating in the British Virgin Islands. Whenever possible, the departure Form I-94 used shall be the same form given the alien at the time of arrival in the United States. Carriers shall endorse the Form I-94 with the departure information on the reverse of the form. Additionally, a properly completed Aircraft/Vessel Report, Form I-92, must be completed for each departing aircraft and each departing vessel which is transporting passengers. Submission of Forms I-94 and I-92 to the immigration officer shall normally be accomplished within 48